

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Cr. No. 04-10083-NG
)	
EDWIN RODRIGUEZ)	
AKA "KING CHOLO")	
)	
JOSUE RODRIGUEZ)	
AKA "PERRO")	

JOINT INITIAL STATUS REPORT

Pursuant to Local Rule 116.5(C), the parties are hereby jointly filing the following Status Report prepared in connection with the Final Status Conference scheduled for July 29, 2004.

1. Outstanding Discovery Issues

There are no outstanding discovery motions or issues.

2. Additional Discovery

The government does not anticipate producing any additional discovery other than that required 21 days before trial. The defendants do not anticipate producing any discovery. In the event either party becomes aware of additional discovery required to be disclosed at this time it will do so immediately.

3. Insanity/ Public Authority Defenses

The defendants do not intend to raise defenses of insanity or public authority.

4. Notice of Alibi

The government requested a Notice of Alibi in its Automatic Discovery Letter. No response has been received to that request.

5. Motions

The defendants do not anticipate filing any motions to suppress, to sever or to dismiss prior to trial but are reserving their respective rights to file other pretrial motions that could require a ruling by the District Court.

6. Scheduling

There are no additional matters for this Court to resolve. The parties therefore request that the case be sent to the District Court.

7. Early Case Resolution

It is too early to tell whether this case can be resolved short of trial.

8. Speedy Trial Act Calculations

The following periods are excludable from the date of arraignment on April 13, 2004:

4/13/04-4/27/04 Order on excludable time dated 4/13/04;

4/27/04-7/27/04 Order on excludable time dated 5/28/04.

In addition, the parties agree that July 29, 2004, the date of the Final Status Conference, is excludable. As of July 29, 2004, therefore, 1 day will have been counted and 69 days will remain under the Speedy Trial Act.

9. Length of Trial

In the event that a trial is required, the parties estimate that it will last 3-4 days.

Respectfully submitted,

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